

## **REMARKS**

### **I. INTRODUCTION**

Claims 1-3, 4-8, and 10 are pending in the application. By this Amendment, claims 1, 3, 5, 6, 8, and 10 are amended to correct minor formalities and to more particularly define the seal ring and ink cartridge. Claims 4 and 9 are canceled. Furthermore, by this Amendment, the disclosure is amended to correct several minor formalities. In view of the foregoing amendments and following remarks, it is respectfully submitted that the application is in condition for allowance. Reconsideration is respectfully requested.

### **II. DRAWINGS**

In numbered paragraph 2 on page 2 of the Office Action dated April 12, 2007, the drawings are objected to as failing to comply with 37 C.F.R. § 1.84(p)(5) because Figures 1 and 3 include reference numeral 3 which is not mentioned in the written disclosure. By this Amendment, both the paragraph beginning at line 15 on page 5 and the paragraph beginning at line 5 on page 6 of the Substitute Specification submitted April 28, 2005, are amended to recite reference numeral 3 for the seal ring. Accordingly, the objection to the drawings is believed to be overcome. Reconsideration is respectfully requested.

### **III. SPECIFICATION**

By this Amendment, the specification is amended to overcome the above-discussed objection to the drawings (*see* Section II). Additionally, the first paragraph of the specification is hereby amended to correct the priority information and indicate that this application is a National Stage application under 35 U.S.C. § 371. Also, the paragraphs beginning at page 5, line 19 and page 6, line 8 are hereby amended to state that "[t]he maximum diameter of the space above the top sealing film 1, where the crack 2 is located, is larger ~~smaller~~ than a diameter of the insertion opening 6." Support for this correction is provided, for example, by at least FIGS. 2, 4, 6, and 8.

#### IV. CLAIM REJECTIONS UNDER 35 U.S.C. § 102

##### Fullermann

On pages 2-4 of the Office Action, claims 1-4 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by U.S. Patent No. 4,954,149 to Fullermann. The rejection is respectfully traversed. Nevertheless, in the interest of expediting prosecution, claim 1 is hereby amended to more particularly and clearly recite the features of the seal ring. Claim 4 is canceled.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); *see* M.P.E.P. § 2131. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 1, as amended, recites:

A seal ring comprising a tube-shaped, elastic part having an insertion opening at one end for receiving an ink supply needle, and a sealing film having a crack connecting the insertion opening to a space defined by an internal wall at another end of the tube-shaped, elastic part, *wherein the tube-shaped, elastic part is provided with a symmetric support, one end of the support being located on the internal wall of the tube-shaped, elastic part, and another end of the support being located adjacent to the crack in the sealing film.* (emphasis added).

Thus, the tube-shaped, elastic part recited in claim 1 includes a sealing film having a crack connecting the insertion opening to a space defined by an internal wall at another end of the tube-shaped, elastic part. Furthermore, the tube-shaped, elastic part of claim 1 is provided with a symmetric support, one end of the support being located on the internal wall and another end of the support being located adjacent to the crack in the sealing film.

In rejecting the subject matter recited in claim 4, the Office Action points to FIGS. 1A, 1B and column 4, lines 37-43 of Fullermann and cites element 107 as being a "symmetric support". The Applicant respectfully traverses the rejection because the "spring clip 107" purportedly shown and described in Fullermann cannot be reasonably interpreted as a "symmetric support," one end of which is "*located on the internal wall* of the tube-shaped, elastic part," and another end of which is

"located adjacent to the crack in the sealing film" as recited in claim 1, as amended. In fact, the spring clip 107 shown in Fullemann only contacts an outer surface of duckbill end 111 and does not contact any internal wall of the seal 105.

In view of the foregoing, Fullemann is not believed to anticipate at least claim 1, as amended. Claims 2, 3, and 5 depend from claim 1 and are believed to be allowable for at least the same reasons. Reconsideration and withdrawal of the rejections are respectfully requested.

### **Barinaga**

On pages 8-9 of the Office Action, claims 1-3 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Patent No. 6,702,434 to Barinaga *et al.* ("Barinaga"). In the interest of expediting prosecution, claim 1 is hereby amended to more particularly and clearly recite the features of the seal ring. Specifically, claim 1 is amended to more particularly recite the features of the seal ring including that "the tube-shaped, elastic part is provided with a symmetric support, one end of the support being located on the internal wall of the tube-shaped, elastic part, and another end of the support being located adjacent to the crack in the sealing film" as similarly recited previous claim 4, now canceled. Barinaga is not believed to teach or suggest the features recited in claim 1. Accordingly, reconsideration and withdrawal of the rejections is respectfully requested. Claims 2, 3, and 5 depend from claim 1 and are believed to be allowable for at least the same reasons.

### **V. CLAIM REJECTIONS UNDER 35 U.S.C. § 103**

On pages 4-5 of the Office Action, claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the embodiments shown in FIGS. 1A, 1B of Fullemann in view of the embodiment shown in FIG. 7 of Fullemann. The rejection is respectfully traversed. Nevertheless, by this Amendment, claim 1 is amended to recite that the "the tube-shaped, elastic part is provided with a symmetric support, one end of the support being located on the internal wall of the tube-shaped, elastic part, and another end of the support being located adjacent to the crack in the sealing film." Claim 5 depends from claim 1. Therefore, for at least the reasons set forth above in Section IV, none of the embodiments purported to be shown and described in Fullemann is believed to teach these features. That is, the embodiment shown in FIG. 7 of Fullemann is not believed to remedy the

deficiencies of the embodiment shown in FIGS. 1A,1B of Fullemann. Accordingly, reconsideration and withdrawal of the rejections is respectfully requested.

On pages 5-7 of the Office Action, claims 6-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fullemann in view of U.S. Patent No. 6,045,207 to Mochizuki *et al.* ("Mochizuki"). The rejection is respectfully traversed. Nevertheless, by this Amendment, claim 6 is amended to more particularly recite the ink cartridge provided with a seal ring. Claim 9 is canceled. Like claim 1, the seal ring recited in claim 6 comprises "an insertion opening at one end for receiving an ink supply needle, and a sealing film having a crack connecting the insertion opening to a space defined by an interior wall at another end of the tube-shaped, elastic part, wherein the tube-shaped, elastic part includes a symmetric support, one end of the support being located on the internal wall of the tube-shaped, elastic part, and another end of the support being located adjacent to the crack in the sealing film." It is respectfully submitted that Mochizuki fails to cure the deficiencies in Fullemann with regard to the above-noted features. Accordingly, claim 6 is believed to be allowable. Claims 7-8 and 10 depend therefrom and are submitted as being allowable for at least the same reasons.

On pages 7-8 of the Office Action, claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the embodiments shown in FIGS. 1A,1B of Fullemann in view of Mochizuki, further in view of the embodiment shown in FIG. 7 of Fullemann. The rejection is respectfully traversed. Claim 10 depends from claim 6. Therefore, for at least the reasons set forth above in Section IV, none of the embodiments purported to be shown and described in Fullemann is believed to teach the features recited in at least claim 6. That is, the embodiment shown in FIG. 7 of Fullemann is not believed to remedy the deficiencies of the embodiment shown in FIGS. 1A,1B of Fullemann. Additionally, it is respectfully submitted that Mochizuki fails to cure the deficiencies in Fullemann with regard to the features recited in at least claim 6. Accordingly, reconsideration and withdrawal of the rejections is respectfully requested.

On pages 9-11 of the Office Action, claims 6-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the embodiment shown in FIGS. 1-4 of Barinaga in view of the embodiment shown in FIGS. 6-8 of Barinaga. The rejection is respectfully traversed. Nevertheless, by this Amendment, claim 6 is amended to more particularly recite the ink cartridge provided with a seal ring. Like claim 1, the seal ring recited in claim 6 comprises "an insertion opening at one end for

receiving an ink supply needle, and a sealing film having a crack connecting the insertion opening to a space defined by an interior wall at another end of the tube-shaped, elastic part, wherein the tube-shaped, elastic part includes a symmetric support, one end of the support being located on the internal wall of the tube-shaped, elastic part, and another end of the support being located adjacent to the crack in the sealing film." Therefore, for at least the reasons set forth above in Section IV, none of the embodiments purported to be shown and described in Barinaga is believed to teach these features. That is, the embodiment shown in FIGS. 6-8 of Barinaga is not believed to remedy the deficiencies of the embodiment shown in FIGS. 1-4 of Barinaga. Accordingly, claim 6 is believed to be allowable. Claim 7 depends from claim 6 and is believed to be allowable for at least the same reasons. Reconsideration and withdrawal of the rejections is respectfully requested.

#### VI. CONCLUSION


Claims 1-3, 5-8, and 10 are pending in the application. By this Amendment, the specification and claims 1, 3, 5, 6, 8, and 10 are amended to more particularly and clearly recite the features of the seal ring and ink cartridge. Accordingly, it is submitted that all of the claims are allowable and that the application is in condition for allowance. An early notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that a personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration on the merits is respectfully requested.

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Respectfully submitted,



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